

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PRAGMATUS TELECOM, LLC)
Plaintiffs,) C. A. No.: 12-1547-RGA
v.) **JURY TRIAL DEMANDED**
LANDS' END, INC.,)
Defendant.)

**DEFENDANT LANDS' END, INC.'S
NOTICE OF WITHDRAWAL OF MOTION TO DISMISS DUE TO MOOTNESS**

WHEREAS plaintiff Pragmatus Telecom, LLC (“Pragmatus”) has filed a First Amended Complaint (D.I. 11), which under the Federal Rules of Civil Procedure supersedes Pragmatus’s original Complaint (D.I. 1); and

WHEREAS the First Amended Complaint has thereby rendered moot defendant Lands’ End, Inc.’s (“Lands’ End”) Motion to Dismiss Count I of the Complaint pursuant to Fed. R. Civ. P. 12(b)(6) (D.I. 9);

NOW, THEREFORE, please take notice that Lands’ End’s Motion to Dismiss Count I of the Complaint (D.I. 9) is hereby withdrawn without prejudice.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Monté T. Squire

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Dated: February 28, 2013

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